



Shipping World Protests at Unfair Detention of Seafarers in Korea

Organisations from across the world's shipping industry today issued a vigorous joint protest at the continuing unjust and unreasonable detention of two merchant ships' officers from the tanker *Hebei Spirit* who were recently acquitted by a South Korean court as being innocent of all charges of violating the nation's ocean pollution law, following last year's oil spill when a floating crane collided with the *Hebei Spirit*.

We - the Round Table of international shipping associations (BIMCO, International Chamber of Shipping (ICS), International Shipping Federation (ISF), INTERCARGO and INTERTANKO), the International Transport Workers' Federation (ITF), the International Group of P&I Clubs (IG), and the Hong Kong Shipowners' Association - wish to convey to the government and authorities of the Republic of Korea our surprise, disappointment and great concern at the news that Korea's courts have determined to continue to detain the ship's officers, despite their acquittal, for possibly as long a year pending further hearings. Such measures appear to be unjustified, unreasonable and in contravention of the men's rights. We strongly believe that they should be permitted to leave the country.

We remind those responsible for the continued detention of Captain Jasprit Chalwa and Chief Officer Syam Chetan, that the trial determined that another vessel which had been towing the floating crane which struck the anchored tanker was wholly responsible for the incident. Despite this finding they have continued to be detained, notwithstanding their own and their employers' assurance that, should a further trial take place, they would attend it.

The two officers have been detained in Korea since 7 December and we believe from recent experience in similar cases that such continued unjust detention may well affect the physical and mental health of the two men. This could be avoided by permitting them to return home now to their families until such time as they are needed to assist any further investigation in Korea.

As an industry serving international society, we remain committed to protecting the environment and to the prompt and thorough investigation of accidents at sea. We are committed to bringing to justice those involved in intentional actions that may damage the marine environment.

However, we cannot and will not support the criminalisation of seafarers, nor unjust, unreasonable and unfair treatment that is contrary to the principles agreed to worldwide in the United Nations' International Maritime Organization (IMO) and International Labour Organization (ILO) Guidelines on the Fair Treatment of Seafarers in the Event of a Maritime Accident.

We appeal to the Government of the Republic of Korea to take the necessary action to ensure that the seafarers are immediately permitted to return to their homes.

Tuesday 22 July, 2008

David Cockroft
General Secretary
ITF (International Transport Workers' Federation)

Andrew Bardot
Executive Officer
IG (International Group of P&I Clubs)

Torben C. Skaanild
Secretary General
BIMCO

Tony Mason
Secretary General
ICS / ISF (International Chamber of Shipping / International Shipping Federation)

Roger Holt
Secretary General
INTERCARGO (International Association of Dry Cargo Shipowners)

Dr Peter Swift
Managing Director
INTERTANKO (International Association of Independent Tanker Owners)

Arthur Bowring
Managing Director
Hong Kong Shipowners' Association

Main press contact:

Pat Adamson, Chairman, MTI
+44 20 7823 9444
Pat.adamson@mtinetwork.com

Other press contacts:

International Transport Workers' Federation (ITF)
Sam Dawson dawson_sam@itf.org.uk Tel: +44 20 7940 9260

Editor's notes.

BIMCO is the world's biggest private shipping organisation, with a global outreach and membership from all around the world. As an influential and important maritime service organisation, it offers practical and tangible services to its membership which includes more than 900 owners, 1,400 brokers and more than 100 P&I Clubs and other associates. Owner members represent more than 14,000 vessels totalling 525 million dWT, or some 65% of the total cargo capacity available worldwide.

The **Hong Kong Shipowners Association's (HKSOA)** chief purpose is to promote and to protect the interests of the Hong Kong ship owners and ship managers as well as the increasing number of local professions and services upon whom they rely in the performance of their business.

ICS (International Chamber of Shipping) comprises/represents national ship owner associations worldwide, and is an international trade association for the shipping industry, representing all sectors and trades. It is involved with issues of maritime affairs, shipping policy, legal and technical matters, including ship construction, operation, safety and management, and developing best practice in the industry.

The **IG (International Group of P&I Clubs)** consists of thirteen principal underwriting member clubs which between them provide liability cover (protection and indemnity) for approximately 90% of the world's ocean-going tonnage.

Each Group club is an independent, non-profit making mutual insurance association, providing cover for its ship owner and charterer members against third party liabilities relating to the use and operation of ships. Each club is controlled by its members through a board of directors or committee elected from the membership.

Clubs cover a wide range of liabilities including personal injury to crew, passengers and others on board, cargo loss and damage, oil pollution, wreck removal and dock damage. Clubs also provide a wide range of services to their members on claims, legal issues and loss prevention, and often play a leading role in the management of casualties.

INTERCARGO (International Association of Dry Cargo Shipowners) has, since 1980, represented the interests of owners, operators and managers of dry cargo shipping and works closely with the other international associations to promote a safe, high quality, efficient and profitable industry.

INTERTANKO (International Association of Independent Tanker Owners) has been the voice of the independent tanker owners since 1970, representing today around 80% of the independent tanker fleet. It is a professional, efficient and respected association representing an industry dedicated to delivering a reliable, safe, responsible and competitive service transporting the liquid energy and chemicals that keep the world economy turning. It is also a forum where the tanker industry meets, as well as being a valuable source of information, opinions and guidance for its members and associate members.

ISF (International Shipping Federation) is the principal international employers' organisation for ship owners, whose membership comprises national ship owner and employer associations. The aim of ISF is to promote and represent the interests of ship owners and operators in matters pertaining to labour affairs, manning and training, and seafarers' welfare, within the international shipping industry. Its role of social partner at ILO (International Labour Organization, a United Nations Agency) gives it a specific platform to undertake these activities on behalf of the industry.

ITF (International Transport Workers' Federation) represents transport workers around the world and promotes their interests through global campaigning and solidarity.

Hebei Spirit incident on 07.12.2007

Brief summary of position as submitted to the Korean Authorities by owners, managers and insurers.

The Hebei Spirit, a 260,000 dwt, very large crude oil carrier, anchored at the location instructed by the Daesan Port on December 6, 2007 at 1918 hrs. The vessel displayed all the lights required by the collision regulations.

At 0702 hrs on December 7, 2007 the Hebei Spirit was struck while still at anchor by a passing crane-carrying barge Samsung 1, which was under tow of tugs Samsung T No 5 and Samho T3. A further tug was in attendance at the stern of the crane barge.

According to the local vessel traffic service records (VTS), at around 0635 hrs the tugs and barge had completely made it clear and past the Hebei Spirit, ahead of the tanker, passing from starboard to port side. There should have been no risk of any collision.

At around 0651 hrs the tow line connecting Samsung T5 and the crane barge suddenly broke and the tugs lost control.

As a result the crane barge began drifting back towards the Hebei Spirit due to effects of the strong winds, current and large windage of the crane.

The crane- barge collided with the Hebei Spirit on her port side at around 0702 hrs, some 11 minutes later, causing punctures to the hull and release of cargo into the sea.